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Belgium, Bulgaria, Canada, Croatia, Czech Republic, Egypt, Estonia, France, Germany, Hungary, Italy, Jordan, Kuwait, Libya, Morocco, Netherlands, Qatar, Saudi Arabia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Syrian Arab Republic

The General Assembly,

Guided by the Charter of the United Nations,

Reaffirming the purposes and principles of the Charter, the Universal Declaration of Human Rights[1] and relevant international human rights treaties, including the International Covenants on Human Rights,[2]

Recalling its resolutions 66/176 of 19 December 2011, 66/253 A of 16 February 2012 and 66/253 B of 3 August 2012, Human Rights Council resolutions S-16/1 of 29 April 2011,[3] S-17/1 of 23 August 2011,[3] S-18/1 of 2 December 2011,[4] 19/1 of 1 March 2012,[5] 19/22 of 23 March 2012,[5] S-19/1 of 1 June 2012,[5] 20/22 of 6 July 2012[5] and 21/26 of 28 September 2012, and Security Council resolutions 2042 (2012) of 14 April 2012 and 2043 (2012) of 21 April 2012,

Recalling also all resolutions of the League of Arab States relating to the situation in the Syrian Arab Republic, in particular its resolution 7523 of 5 September 2012, in which the League expressed its strong condemnation of the

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. I.

[4] Ibid., *Supplement No. 53B* and corrigendum (A/66/53/Add.2 and Corr.1), chap. II.

[5] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. III.A.

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continuing violence, murder and heinous crimes committed by the Syrian authorities and its affiliated "shabbiha" militias against Syrian civilians and the use of heavy weapons, including tanks, artillery and warplanes in its bombardment of populated neighbourhoods and villages, as well as arbitrary executions and enforced disappearances, in flagrant violation of human rights and fundamental freedoms, and called upon the Government of the Syrian Arab Republic to cease immediately and completely all forms of killing and violence against the Syrian people,

Welcoming the relevant decisions of the League of Arab States on the developments in respect of the situation in the Syrian Arab Republic,

Welcoming also resolution 2/4-EX (IS) of the Organization of Islamic Cooperation of 15 August 2012 on the situation in the Syrian Arab Republic, in which the Organization called for the immediate implementation of the transitional plan and the development of a peaceful mechanism that would allow the building of a new Syrian state based on pluralism and a democratic and civilian system, where there would be equality on the basis of law, citizenship and fundamental freedoms,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter of the United Nations,

Strongly condemning the shelling as well as the shooting by the Syrian armed forces into neighbouring countries, which led to casualties and injuries of the civilians of those countries as well as of Syrian refugees, and underscoring that such incidents violated international law and highlighted the grave impact of the crisis in the Syrian Arab Republic on the security of its neighbours and on regional peace and stability,

Expressing grave concern at the escalation of violence in the Syrian Arab Republic, in particular the continued widespread and systematic gross violations of human rights and the continued use of heavy weapons and aerial bombardments by the Syrian authorities against the Syrian population, and the failure of the Government of the Syrian Arab Republic to protect its population,

Taking note with concern of the report of the Secretary-General on children and armed conflict,[6] which indicates the occurrence of grave violations against children in the Syrian Arab Republic, that children were among the victims of military operations carried out by Government forces, including the Syrian armed forces, intelligence forces and "shabbiha" militias, and that children as young as nine years of age were victims of killing and maiming, arbitrary arrest, detention, torture and ill-treatment, including sexual violence, and used as human shields,

Expressing concern at the vulnerable situation of women in this context, including being subjected to discrimination, sexual and physical abuse, violation of their privacy and arbitrary arres. and detention in raids, including to force their male relatives to surrender, and underlining the importance of preventing all sexual violence and violence based on gender,

Deploring the further deterioration of the humanitarian situation and the failure to ensure safe and timely provision of humanitarian assistance to all areas affected by the fighting,

[6] A/66/782-S/2012/261.

Expressing great concern about the escalating violence causing an influx of Syrian refugees into neighbouring countries and countries of the region,

Expressing its deep concern at the failure to implement the six-point proposal[7] of the former joint special envoy of the United Nations and the League of Arab States, welcoming the appointment of the new joint special representative of the United Nations and the League of Arab States on the Syrian crisis, and expressing its full support for his efforts towards the peaceful transition to a pluralistic, democratic civil State with equality in citizenship and freedoms,

Recalling the statements made by the United Nations High Commissioner for Human Rights before the Human Rights Council and the Security Council that crimes against humanity are likely to have been committed in the Syrian Arab Republic,

Expressing the urgent need to achieve a cessation of violence and prevent its further escalation and spread,

1. *Strongly condemns* the continued widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and the Government-controlled "shabbiha" militia, such as the use of heavy weapons, aerial bombardments and force against civilians, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence and ill-treatment, including against children, as well as any human rights abuses by armed opposition groups;

2. *Calls upon* the Syrian authorities to immediately put an end to all human rights violations and attacks against civilians, to protect the population and to fully comply with their obligations under applicable international law, and calls upon all parties to put an end to all forms of violence;

3. *Urges* the Syrian authorities to release immediately all persons arbitrarily detained, including the members of the Syrian Centre for Media and Freedom of Expression, to publish a list of all detention facilities, to ensure that conditions of detention comply with applicable international law and to immediately allow access of independent monitors to all detention facilities;

4. *Stresses its support* for the aspirations of the Syrian people for a peaceful, democratic and pluralistic society, in which there is no room for sectarianism or discrimination on ethnic, religious, linguistic or any other grounds, based on the promotion of universal respect for and observance of human rights and fundamental freedoms;

5. *Welcomes* the report of the independent international commission of inquiry on the Syrian Arab Republic,[8] submitted pursuant to Human Rights Council resolution 19/22, and the recommendations contained therein;

6. *Regrets* the continued non-cooperation of the Government of the Syrian Arab Republic with the commission of inquiry;

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[7] Security Council resolution 2042 (2012), annex.

[8] A/HRC/21/50.

7. *Demands* that the Syrian authorities provide the commission of inquiry and individuals working on its behalf immediate, full and unfettered entry and access to all areas of the Syrian Arab Republic, and demands also that all parties cooperate fully with the commission of inquiry in the performance of its mandate;

8. *Encourages* the relevant United Nations bodies to invite the chair of the commission of inquiry to brief them on the situation of human rights in the Syrian Arab Republic;

9. *Stresses* the importance of ensuring accountability and the need to end impunity and hold to account those responsible for human rights violations, including those violations that may amount to crimes against humanity;

10. *Also stresses* the need to follow up on the report of the commission of inquiry and to conduct an international, transparent, independent and prompt investigation into abuses and violations of international law, with a view to holding to account those responsible for violations and abuses, including those that may amount to crimes against humanity and war crimes, and encourages members of the international community to ensure that there is no impunity for such violations or abuses;

11. *Further stresses* the important role that international justice could play in this regard;

12. *Calls upon* the Syrian authorities to immediately and fully implement the agreed humanitarian response plan, including by granting immediate, safe, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in particular to civilian populations in need of evacuation, as well as safe, full and unimpeded access for affected civilians to humanitarian assistance and services, and also calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance;

13. *Strongly condemns* intentional and repeated attacks against medical facilities, personnel and vehicles as well as the use of medical civilian facilities, including hospitals, for armed purposes, and calls for all medical facilities to be free of weapons, including heavy weapons, in accordance with applicable international law;

14. *Expresses grave concern* at the increasing numbers of refugees and internally displaced persons as a result of the ongoing violence, reiterates its appreciation of the significant efforts that have been made by neighbouring countries and the countries of the region to assist those who have fled across the borders of the Syrian Arab Republic as a consequence of the violence, and urges all relevant United Nations agencies, in particular the Office of the United Nations High Commissioner for Refugees, and other donors, to provide urgent and coordinated support to Syrian refugees and their host countries;

15. *Urges* the international community to provide urgent financial support to the host countries to enable them to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

16. *Urges* all donors to provide expeditiously financial support to the Office for the Coordination of Humanitarian Affairs and international humanitarian organizations, as requested in the humanitarian appeals issued by the United Nations

system and the host countries, so that they can implement more actively the humanitarian response plan inside the country;

17. *Invites* Member States to provide all support to the Syrian people, and encourages Member States to contribute to the United Nations humanitarian response efforts.